



PATENT
Customer No. 22,852
Attorney Docket No. 08702.0039-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WANG *et al.*

Application No.: 09/804,625

Filed: March 9, 2001

For: BMP PRODUCTS

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)
) Group Art Unit: 1647
)
) Examiner: Not yet assigned
)
)
)
)

#12
M.G.J.
8/28/03

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AUG 07 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a Office Action dated April 14, 2003, the Examiner required restriction under 35 U.S.C. § 121 between Group I (Claims 24-26, 29, 30, 33, 35, 36, 38, 39, 41 and 42) directed to a polynucleotide encoding amino acids 299-396 of Figure 2; Group II (Claims 24, 27, 28, 31, 32, 34, 35, 37, 38, 40, 41 and 43) directed to a polynucleotide encoding amino acids 311-408 of Figure 3; Group III (Claims 44-48) directed to a polypeptide comprising amino acids 299-396 of Figure 2; and Group IV (Claim 49) directed to an antibody that binds a polypeptide comprising amino acids 299-396 of Figure 2. Applicants provisionally elect to prosecute Group I claims 24-26, 29, 30, 33, 35, 36, 38, 39, 41 and 42 drawn to a polynucleotide encoding amino acids 299-396 of Figure 2.

Applicants believe that any extension of time required to enter this Response is accounted for by the Petition and fee filed concurrently with this Response. However, in the event of an error please grant any additional extension of time required to enter this Response and charge any additional required fees to deposit account 06-0916.

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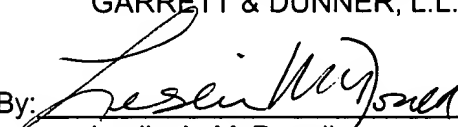
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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 13, 2003

By:


Leslie A. McDonell
Reg. No. 34,872

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